IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 26TH MARCH 2007 / 5TH CHAITHRA 1929

Crl.MC.No. 925 of 2007()

C.R.NO.1 OF 2003 OF POOVAR POLICE STATION, THIRUVANANTHAPURAM

PETITIONER: ACCUSED NO.1

C.YESUDAS, AGED 41 YEARS,
S/O.CHELLAN NADAR, DIVYA BHAVAN, VELLARADA P.O.,
NEYYATTINKARA, THIRUVANANTHAPURAM DISTRICT.

BY ADV. SRI.C.C.THOMAS

RESPONDENTS: COMPLAINANT

STATE OF KERALA REPRESENTED BY
SUB INSEPCTOR OF POLICE, POOVAR POLICE STATION,
THIRUVANANTHAPURAM DISTRICT,
BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.S.U.NAZER

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 26/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

Crl.M.C.No.925 of 2007

Dated this the 26th day of March, 2007

ORDER

The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer and I am satisfied that in the light of the decision in **State of Kerala and Others v. Unni and another** [2007(1) KLJ (S.C) 97], this prosecution in which the only allegation is that the percentage of Ethyl Alcohol in toddy exceeds the permissible figure cannot be sustained. This Crl.M.C is, in these circumstances, allowed. All proceedings in pursuance of C.R. No.1 of 2003 of the Poovar Police Station, Thiruvananthapuram, against the petitioner is hereby quashed.

(R.BASANT, JUDGE)

rtr/-